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**Notes from the Council and General Court Records  
1641-1664.**

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BY THE LATE CONWAY ROBINSON, ESQ.

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(CONTINUED.)

1654 to 1659. P. 13 Grant by same dated 5 of October 1654 unto Major Miles Cary,<sup>26</sup> for 300 acres of land in Westmoreland county for the transportation of 60 persons into the Colony. He became Lt. Colonel.

P. 321. Grant renewed for 3 years. P. 68. Last grant by the same dated March, 1655. P. 79. First grant by Edward Digges, governor, dated March, 1655.

P. 145. Court held 6 of June 1655. Names of governor and councillors.

1655, June 7. P. 149. Judgement for fornication and getting servant with child.

P. 150. Orders upon complaint by Totopotomoy<sup>27</sup> that an Indian, his brother, was slain by an Englishman.

P. 156. Process ordered by sheriff of Surry to summons a grand jury and petit jury to be ready at Surry court the 3d of July, for the trial of Lt. Col. Thomas Swann.<sup>28</sup>

[1654.] P. 157. Decision that one of the half blood cannot inherit and appeal to the next assembly by Richard Coursey.

P. 174. Evans v. Evans.

P. 157. Order prohibiting people from meddling in present troubles in Maryland.

P. 157, 8. Henry Soanes<sup>29</sup> permitted to employ two indians.

P. 158. Business obstructed by sheriffs not [illegible] and orders thereupon.

P. 159. Commission ordered to Captain Henry Perry<sup>30</sup> to go with volunteers to discover the mountains.

“ Captain Barrett<sup>31</sup> had to appear at the admiralty court to answer the putting to death of Kath. Grady as a witch at sea.

June 28. P. 162. Recital of letters to the governor from his

highness the Lord protector, of Jan. 12, 1654, and answer directed to be drawn up.

P. 163. Upon complaint that Wm. Durant<sup>32</sup> is actually in rebellion against the Lord protector, warrant directed for his apprehension, p. 170. Further order Oct<sup>o</sup> 3, p. 199, Nov. 24. p. 213, 14, March 12.

Order to seize on records belonging to Lord Baltimore's plantation or Maryland.

Oct<sup>o</sup> 3. P. 164. Order directing forgiveness to be asked for Scandal.

P. 171, 2. Orders upon complaints by the Indians.

P. 177. Allowance to widow of a man in debt.

Church wardens and vestry allowed to distrain (2 entries).

176. John Smith<sup>33</sup> ordered to be sheriff of Warwick.

177. Recital of great disorders during the quarter courts and remedy provided.

178. Judgement that 5 years possession of land gives good title.

Decision as to the necessity of recording deeds.

P. 181, 2. Judgement for slander.

P. 184. Provision for castle duties, p. 240.

Nov. 21. P. 186. Judgement against a minister for sexual intercourse.

P. 187. Judgement on complaint of Booth that party be bound over for good behavior to Booth and "all other his highnesses subjects."

Nov. 22. Power to punish for not attending militia musters.

1655, Nov. 23. Assembly to meet 10th of March, and in the meantime levy directed by the Governor and Council. P. 191.

P. 200. Remedy against Commissioners when sheriffs fail to pay over levies. P. 243.

1655, 6, March 12. P. 203. Names of Governor and Council. Col<sup>o</sup> Obedience Robins<sup>34</sup> also sworn.

P. 208. Land assigned to the Wicomoco indians.

P. 208-9. Another order as to their king.

P. 209, 10. Land obtained from Indians.

P. 210, 11. Judgement for untrue charge of forgery. Another case. P. 233, 254.

P. 217. Mulatto held to be a slave and appeal taken. P. 344.

P. 221. If Master consented to servant's marriage, made her free.

P. 226, 7. Land given in joint tenancy held to survive.

P. 227. Compensation for killing wolves.

P. 228, 9. Sheriffs for the several counties.

1656, April 23d. Edward Digges still governor.

P. 229. Consultation concerning a march against the stranger Indians<sup>35</sup> who lately intruded at the falls, and orders thereupon.

June 4. P. 230. Report of the expedition. P. 246. Order against Hill.

June 5. P. 231, 2. Further order for raising men.

P. 232. Addition to the Council.

June 6. P. 243. Land not considered deserted until 3 years after removal of Indians.

Oct. 8. P. 247. Where Indians may hunt.

P. 250. In case of Wm. Townsend, mention again of his highness the Lord Protector.

Oct. 4. P. 262. Levy made according to order of Assembly.

Nov. 6. P. 263. Governor having to go to England, Assembly called for the 1st of December.

Dec. 2d. P. 266. Pardon to be asked on the knees for defamation.

Dec. 11. P. 280. Proceedings in case of unlawful marriage.

P. 281, 2. Complaints from Indians in Northumberland.

Dec. 15. P. 285. Concerning Indians at Wicomico.

P. 286. Edward Griffith appointed surveyor.

Wm. Johnson elected high sheriff for Rappahannock.

1657, April 27. P. 287. Samuel Matthews, Governor. Additional Councillors sworn. Complaint against the Nassau [?] Indians, and soldiers to be raised.

P. 287, 8. Petition for Assembly the 10th of May desired.

June 2d. P. 288. Abraham Wood<sup>36</sup> sworn councillor.

Minister restored to office.

Minister punished for marrying without license.

1657, June 5. P. 295. Richard Perrot<sup>37</sup> elected sheriff of Lancaster.

June 5. P. 295, 6. Case of an Indian servant.

June 5. P. 297, 8. Henry Corbin,<sup>38</sup> of the quorum in Lancaster.

June 6. P. 301. Richard Dudley<sup>39</sup> appointed sheriff for Gloucester.

June 8. P. 307. Wm. Batt<sup>40</sup> appointed sheriff for Elizabeth City.

June 8. P. 309. Jno. Manning & Wm. Presley,<sup>41</sup> appointed sheriffs for Nansemond & Northumberland.

June 8. P. 312. Verdict and judgement for slander.

June 10. P. 313. Verdict and judgement for false imprisonment against commander for commission [*sic*].

June 11. P. 314. Sheriff app'd for Charles City.

June 11. P. 314. Privilege granted Nath'l Batte<sup>42</sup> for interest taken in the discovery of an inlet to the southward, p. 330, 392.

June 11. P. 317. Strumpet ordered to be whipped.

June 11. P. 317. How marriages are to be solemnized for the future.

June 12. P. 319. Sheriffs appointed for Westmoreland, Surry, Warwick and James City.

June 12. P. 319. Provisions for recovery of servants running away to Maryland.

1657, Oct. 7. P. 322. Judgement *vs.* John Tayler for petit larceny, that he be whipped.

Oct. 7. Person bound over to answer complaint for murder, preferred "on behalf of his highness the lord protector."

P. 325, 6. Another case (for selling powder to the Indians) of party bound over.

P. 326. John Brewer for uttering unhandsome words, to acknowledge his offence.

P. 327. Concerning claims of Indians on Corotoman creek.

P. 327. Indians of Rappahannock and Potomac to be summoned. P. 347.

P. 327. Ships forced into port for relief allowed to take some tobacco as freight.

Oct. 10. P. 331. Weeks Mander, for uttering scandalous words of a lady to acknowledge his offence.

Oct. 12. No. 333. Indians detaining a servant to be arrested.

P. 335. Glebe land of parish of Bristol and parish of Hampton.

Oct. 13. P. 336. Orders permitting persons to keep Indians to hunt, p. 416.

Oct. 14. P. 342. Addition to the commissioners for Warwick.  
P. 345. Mary Scragg charged with concealing bastard issue, to appear before next Assembly.

P. 346. Levy made up as directed by the Assembly.

Nov. 25. P. 350. Order for collection of tobacco due to S<sup>r</sup> Wm. Berkeley.

Nov. 27. P. 353, 4. Thomas Thruston [?] and Josias Cole, quakers, ordered to depart on a ship, and in the mean time committed to custody, and not to have pen, ink or paper, or correspondence with citizens. P. 382. Allowed to go to Maryland. P. 413. Quakers whipped. P. 414. Quaker fined for entertaining a Quaker. P. 415, 16. Other Quakers punished. P. 416. One woman, with child, pardoned. 1658, June 10. General persecution of Quakers directed.

P. 354. Master of ship, bringing Quakers into the Colony, to be fined and carry them back.

P. 354. Lands occupied by Wicomico Indians when deserted to be for Saml. Matthews.

Lands occupied by Chiskiak Indians when deserted to be for glebes of Gloucester. P. 415.

P. 354, 5. Liberty to transport commodities to Delaware bay.

P. 357. Glebe land of Henrico parsh.

P. 358. For unhandsome behavior, forgiveness to be asked on the knees.

Dec. 1st. P. 358. Names of Governor and Council. Barbary Wingbrough arraigned for a witch but acquitted. P. 368, 9. Who shall pay the witnesses, referred to Assembly.

P. 368. Judgement where servant required medical attention and was neglected by his master.

1657-8, March 17. P. 373. Peter Knight<sup>4</sup> added to the quorum of Gloucester.

March 17. P. 374. Destruction of Indians, our friends, to be prevented.

March 19. P. 380. Legacy to widow no bar to dower.

Peter Ashton<sup>4</sup> added to the quorum of Northumberland.

P. 383. Fleet vs. Tabb. Question of law between 2 patents for Fleets Bay.

P. 384. Patent for lands seated declared void.

P. 388. What words are not scandalous.

Pp. 388, 9. Appointments of commissioners and sheriffs.

P. 390. Sheriff appointed for Rappahanock.

P. 402. Sheriff " " Lower Norfolk.

P. 403. " " " Isle of Wight.

P. 403, 4. Commissioner for Northumberland.

P. 407. Surveyor and sheriff for Northumberland and York.

P. 408. Sheriffs for Warwick, Nansemond & Henrico.

May 20. P. 409. New commission not having come, whether the Governor should grant warrant for execution. (Qu., whether this is 1657 or 1658.)

Reprieve to be granted and represented to royal highness [*sic*]. [It would be interesting to know whether in the words "royal highness," Mr. Conway has exactly followed the record. The reference of the case must have been to Cromwell.—ED.]

P. 410. Case of an Irishman improperly kept in service.

1658, June 12. P. 431. Prosecution for treason against the Lord Protector. (No entry of later date.)

After 17 of October 1660, S<sup>r</sup> W<sup>m</sup> Berkeley acted as deputy treasurer. See book marked No. 2, 1660 to 1664, p. 28 to 33. He was acting as governor Aug't 24, 1660, p. 64.

House and land in James City, which belonged to the country, sold. Deed of the 5 of Oct<sup>r</sup>, 1661, in p. 558, 9, of book of judgements and orders, 1664 to 1670, other end. Also, p. 561, 2, 3, 564, 5, 6.

Genl. Ct. book marked No. 2, 1660 to 1664.

1661, April 19. P. 1. Proceeding for opprobrious words against the queen.

April 30. P. 28. King having given S<sup>r</sup> Wm. Berkeley, governor, permission to go out of the country, governor and council made choice of Francis Morrison in his absence.

May 10, 1661. Catalogue of books of records. P. 49, 50.

May 15. P. 28, 9. Major Henry Norwood,<sup>46</sup> the treasurer, having empowered S<sup>r</sup> William Berkeley, he appointed Col. Francis Morrison, and Mr. Thos. Ludwell<sup>48</sup> to execute the office of treasurer in his place. They appointed Col. Miles Cary, Escheator general. P. 37. Henry Randolph<sup>47</sup> acted as his deputy. P. 273, &c., p. 303. Mr. John Stringer<sup>48</sup> [?] & \* \* to p.

347, also 416 &c. Power from the treasurer of Sept. 1662. P. 126, 7, 8. Richard Lee made deputy treasurer in Westmoreland March 28, 1663. Mode of collecting quit rents. P. 199, 200. Will of Richard Lee. P. 210 to 14.

1662, April 4. The whole proceedings against the Quakers at a general court held the 4th of April 1662. P. 81 to 86. Loans by king of ship to serve king of Portugal. P. 172. Commission of King of Portugal. P. 218, 19. Peace concluded in Sept., 1662. P. 248, 9.

Sept. 12. By instructions of Sept. 12, 1662, act imposing 2 shillings a hogshhead on tobacco exported, confirmed, and Theoderick Bland, Esq., appointed to receive same, Dec. 10, 1662. P. 121, 2, 3. 12th of Dec. power to Thos. Stegg. P. 125, 6. Petition of collectors. P. 356. Thos. Stegg<sup>9</sup> comm'd auditor general 18th Feb., 1663. Confirmed by the King. P. 408 to 411.

Dec. \* \* \* of a minister. P. 119, 20. (Sr. Wm. Berkeley had returned the 8th of Dec., 1662.)

Dec. 13. Commissioners for Westmoreland. Jno. Washington,<sup>60</sup> one. P. 129. Instructions from the King of the 12th of Sept., 1662, to Sr. Wm. Berkeley. P. 129 to 135.

Oct. 15. From the gen'l court of Massachusetts in reply to complaint from Va. P. 234, 5. 2d *Hen. Stat.*, p. 158, 9.

Petition to the governor complaining against the Manhatoes. P. 136, 7. James Mills being commissioned to take Dutch vessels, took a brig. 139, 140.

P. 171. Deed of 27 July, 1662, from an Indian king. Commission from the King of the last of July, in the 14th of his reign, appointing Francis Morrison commander of the fort at Point Comfort. P. 159.

Octo. 9. Commission issued to Captain Samuel Stephens to be commander of the southern plantation,<sup>61</sup> authorizing him to appoint a sheriff. P. 159, 60. Lands of the inhabitants secured to them. P. 164, 5.

1663, March 26. P. 161. Authority to Col'o Francis Morrison to go to England for 3 years. By Sr. Wm. Berkeley as governor. P. 200. He retained his dues as captain of the fort. P. 161. Miles Cary collector at this time.



March 20. P. 162. Thomas Woodward,<sup>52</sup> constituted sole surveyor of Carolina. (Sir W. B. styles himself gov. of Va. & Carolina.)

Sept. 24. P. 173, 4. Petition from the Assembly to Sr. Wm. Berkeley, the governor.

September 27. P. 174, 5, 6. Petition from the Assembly to Sr. Wm. Berkeley, the governor.

Commission of the King of the 16th of Jan'y, 1662-3 to Jno. Brown, captain of a Scottish ship, to trade to America. P. 204, 5, also 206.

1664, June 2d. P. 228, 9. Power from the governor of Maryland to Philip Calvert to repair to Virginia and treat with the governor concerning Watkins point and to demand justice against Edmund Scarburgh<sup>53</sup> for entering the province of Maryland in a hostile manner.

June 7. Agreement between Calvert and Sir Wm. Berkeley that persons living near the line shall live peacefully until the difference be settled between the two colonies, concerning Col. Scarburgh. P. 453.

Octo. 2d, 1663. Letter from Amsterdam, in New Netherlands, complaining of Robert Downman and \* \* [illegible], John De Deckers [?] & others, p. 240, 1, 2, also 250 to 253. Communication made to the Governor and Council by John De Deckers & others, p. 242, 3, 4. Reply of Downman, p. 244 to 247. King's orders against Downman of the 23d of May, 1663. Downman's explanation of the 27 of Nov., 1663. Statement of the Captain of the vessel taken, p. 250. Judgement of the court, p. 206, 7, 8. Bond given by Downman with sureties, p. 253. Bond given by the governor of New Netherlands, p. 254, 5. Complaint by De Decker of the necessity of giving bond, p. 264 to 267. Complaint of Downman, p. 267, 8. Depositions, p. 267 to 271. Another petition by Downman, p. 271, 2. Another undertaking [?] by Downman, p. 272, 3.

Complaint by Peter Stuyvesant of Sr. Wm. Berkeley's defamatory language, and answer thereto, p. 256 to 264.

1663-4. P. 421. Order to prevent soldiers being trusted for drink. Names of Governor and Council, p. 21 & 22 March, 1663-4.

P. 422. Contribution towards building a town now begun. Seems to be 21st March, 1663-4.

March, 1663-4. Names of governor & council. Geo. Guilim appointed sheriff of Nansemond. P. 425. Jno. Marshall in the commission of Northampton.

1663-4, March 24. P. 428. Land to be surveyed for Nansemond Indians. 429. John Hall sheriff of Rappahannock. Thos. Ceely sheriff of Elizabeth City. Thos. Davis sheriff of Warwick.

March 25. P. 436. Sheriffs appointed for Charles City, Isle of Wight and Surry. P. 437. Gift from King of Potomac to Peter Ashton. P. 443. Sheriff of Westmoreland. P. 443, 4. Complaints of Pamunkey Indians. 448. Sheriff appointed for New Kent, also for Northumberland. 450. Leave to erect a wharf before James City.

1664, Sept. 23. P. 460. Ferry to be kept at Pianketank.

462. Verdict against a councillor for words spoken in court, reversed.

Sept. 26. P. 464, 5, 6. Important [?] orders to have as many Indians as possible located in one place, and land enough laid off for them.

Sept. 28. P. 467. Value of guns taken from Indians to be paid them.

Sept. 28. P. 468. Mr. Thos. Bowler added to the commission for Rappahannock.

Sept. 28. P. 469. Judgement for division of land by a jury.

Sept. 30. P. 469. Sheriff of James City fined for arresting members of Court and Assembly; plaintiff in the action fined also. 470. Last order in the book 5 Oct'o, 1664. Adjourned then to 20 of November.

(TO BE CONTINUED.)